

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUMMONS FOR JUDGMENT NO. 943 OF 2003
IN
SUM. SUIT NO. 16429 OF 2003

Blue Cross Laboratories Ltd. ..Plaintiff

VS.

SKH Enterprise & Ors. .. Defendants.

Mr. P.A. Jai i/by Gagrath & Co.

for the plaintiff.

Ms. Yogini Gurav i/by S.V. Vora

for defendants.

CORAM : S.U. KAMDAR, J.

DATE : 16th August, 2005.

P.C.

. The present suit is filed under consignee agent agreement dated 14.12.2000. It is the case of the plaintiff that under the said agreement the goods were given which were to be sold to third parties and the money to be recovered and paid over to the plaintiff. However, under the said agreement or any of the documents there is no liquidated sum due and payable. At the highest, the suit is on

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account. In view thereof, suit is not maintainable
as summary suit. Unconditional leave to defend.

2. Suit transferred to the list of Commercial Causes. Written Statement or points of defence to be filed eight weeks from today. Affidavits list of documents to be filed within eight weeks thereafter. Inspection within eight weeks thereafter. Suit to be on Board of the learned Judge taking Commercial Causes.